

Notice of Allowability

Application No.

09/550,115

Examiner

Robert A. Wax

Applicant(s)

ARAI ET AL.

Art Unit

1653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed October 30, 2003.
2. ☒ The allowed claim(s) is/are 6 and 15-19.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 02032004.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Robert A. Wax
Primary Examiner
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Young on February 2, 2004.

The application has been amended as follows:

Cancel claims 1-5 and 7-14.

Amend claim 6 to read as follows:

6. A method for screening a compound that inhibits the interaction between calcineurin and NF-ATx, the method comprising:

(a) contacting the a polypeptide of claim 1 having calcineurin-binding activity selected from the group consisting of:

(i) a polypeptide comprising a fragment of NF-AT3, wherein the fragment comprises the amino acid sequence set forth in SEQ ID

NO: 2 or 4, up to but not including full length NF-AT3; and

(ii) a polypeptide comprising a fragment of a NF-ATx family protein, wherein the fragment corresponds to the fragment of (i);

with calcineurin in the presence or absence of a sample compound;

(b) detecting the binding activity of the polypeptide to calcineurin; and

(c) selecting a compound that reduces the binding activity compared with the binding activity detected in the absence of the sample compound.

Amend claim 15 to read:

15. The method of claim 6, wherein the polypeptide having calcineurin-binding activity is selected from the group consisting of:

- (i) a polypeptide comprising a fragment of NF-AT3, wherein the fragment comprises the amino acid sequence set forth in SEQ ID No: 2 or 4, but not including more than 50 amino acids of NF-AT3 outside of SEQ ID NO: 2 or 4; and
- (ii) a polypeptide comprising a fragment of a NF-ATx family protein, wherein the fragment corresponds to the fragment of (i).

Amend claim 16 to read:

16. The method of claim 6, wherein the polypeptide having calcineurin-binding activity is selected from the group consisting of:

- (i) a polypeptide comprising a fragment of NF-AT3, wherein the fragment comprises the amino acid sequence set forth in SEQ ID NO: 2 or 4, but not including more than 30 amino acids of NF-AT3 outside of SEQ ID NO: 2 or 4; and
- (ii) a polypeptide comprising a fragment of a NF-ATx family protein, wherein the fragment corresponds to the fragment of (i).

Amend claim 17 to read:

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17. The method of claim 6, wherein the polypeptide having calcineurin-binding activity is selected from the group consisting of:

- (i) a polypeptide comprising a fragment of NF-AT3, wherein the fragment comprises the amino acid sequence set forth in SEQ ID No: 2 or 4, but not including more than 10 amino acids of NF-AT3 outside of SEQ ID NO: 2 or 4; and
- (ii) a polypeptide comprising a fragment of a NF-ATx family protein, wherein the fragment corresponds to the fragment of (i).

Amend claim 18 to read:

18. The method of claim 6, wherein the polypeptide having calcineurin-binding activity is selected from the group consisting of:

- (i) a polypeptide consisting of the amino acid sequence set forth in SEQ ID NO. 2 or 4; and
- (ii) a polypeptide comprising a fragment of a NF-ATx family protein,
wherein the fragment corresponds to the polypeptide of (i).

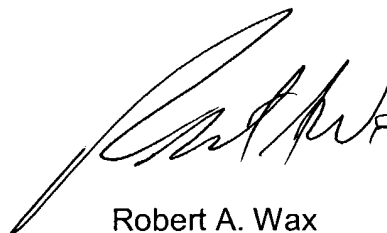
Add new claim 19:

19. The method of claim 6, wherein the polypeptide having calcineurin binding activity is a fusion polypeptide comprising a fragment of the NF-AT3 or the NF-ATx family protein fused sequentially with one or more other polypeptides.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert A. Wax whose telephone number is (571) 272-0623. The examiner can normally be reached on Monday through Friday, between 9:00 AM and 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. F. Low can be reached on (571) 272-0951. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Robert A. Wax', is positioned above the printed name.

Robert A. Wax
Primary Examiner
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